FEDERAL COURT IS IN SESSION

Grand and Petit Jurors Impaneled for Work.

FIVE BENCH WARRANTS OUT

CASES ON TRIAL AND NEW SUITS IN DISTRICT COURT.

grand jury at least till the end of the for the defendants. week. The cases under consideration are more numerous than important.

Every attache of the United States marshal's office is out serving subpoenas. Deputy Marshal Hardy left last night for Buena Vista, near Vernal, to serve a with as with the necessary pa-

day W. H. Dale and John D. Dixon of the waterwo fine petit jury and F. W. Penrose of the grand jury failed to respond to their names. Bench warrants were issued for the absentees. They will

appear this morning.

Two other jurors failed to appear yesterday on account of delayed trains. They were Hyrum Green of Bear River and Daniel Ryan of Corinee. The lat-ter is the author of a letter to Marshal Miller, stating that it would be impossible for him to serve on the jury, but he would send his brother-in-

Of the long list of cases coming be-fore the grand jury three will be from

the postoffice dejartment.

When the juries were called W. H. Dale, John D. Dixon and A. F. Smith, who had been summoned to fill the petit jury, and G. A. Campbell and F. W. Penrose, grand jurors, failed to respond to their names. Bench warrants were issued for the absentees. They will appear this morning before Judge Marshall to show cause why they should not be punished for conthey should not be punished for con-

As impaneled the grand jury is com-As impaneled the grand jury is composed of the following: Walter J. Beatie, J. R. Barnes, George T. Baker, Herman Campbell, Joseph Christensen, Daniel Dunne, Henry Foxley, Henry Griffiths, L. E. iverson, Peter G. Johnson, D. K. Johnson, H. F. Larson, David Layton, Arthur Lee, J. E. Oglesby, Loseph Market. Joseph Parry, Samuel Raney, August Wall and R. A. Barney. The latter

was chosen foreman.

This morning the trial of the case of the United States against Frank Knox for recovery of money received from a shipment of gilsonite from a forbidden part of the Indian reservation, will be

Several matters were submitted on demurrer. Among the more important routine cases were those of the United States against David Eccles, in which defendant's motion for a new trial was ordered to be submitted on briefs within five days and ordering defendant in the case of Keen vs. Nipper to serve his bill of particulars on plaintiff.

MINING DEAL IN QUESTION.

Morrison's Suit Against Snow Up to Vacate Injunction.

Vacate Injunction.

Practically the entire time of Judge Hali was taken up yesterday in listening to arguments upon the motion of the defendants to dissolve the injunction in the mining suit of C. D. Morrison vs. A. E. Snow, the Morrison the defendants to dissolve the injunction in the mining suit of C. D. Morrison vs. A. E. Snow, the Morrison Mining company et al. Morrison alleges that Snow had conspired to defraud him of 145,000 shares of the company's stock, and asked that all the defendants be restrained from selling the stock, which Morrison says he transferred to Snow as a result of the alleged conspiracy. The temporary injunction was granted and the motion vesterday was to dissolve it. yesterday was to dissolve it.

The warring attorneys were W. H. Wilkins and J. M. Bowman, the plaintin being represented by Colonel A. C. At the beginning of the argument

Mr. Wilkins submitted a requisition for such an unusually large number of au-thorities that Judge Hall postponed all other matters on yesterday's calendar, as soon as he saw the books.

The gist of the proposition laid down to the defense was that Morrison knew as much about the mine as Snow, and that Snow could not have deceived him. At the conclusion of the argument the matter was taken under ad-

SHEEP LEASE CASE.

Sequel to Disagreement Over the Jenson Flock in Deep Creek.

Joseph M. Jenson files an action stock company, Don C. Tufts and Jo- Healthful, But Not Always Curative. against the Deep Creek Farm & Live-

Against the Deep Creek Farm & Lives and Joseph E. and A. V. Taylor yesterday accomposition of agreement, on the stay of collect 417.546.2, as the result of an attiged violation of agreement, on the stay of the piece woods will not produce the decident on Nov. 1690, for turn of the sheep and the theorem of the words to receive back 1408 head of sheep to turn of the sheep and the theorem of the words to receive back 1408 head of the produce of turn of the sheep and the theorem of the sheep and the sheep

sociation's stock, which he says he purchased from E. M. Weiler on March 14, 1904, or pay him \$800, the alleged ratue of the stock. He also asks for 20 extra, alleged to have been suspined as damages through the refusal

of the company to pay him dividends on the stock. The Consolidated Implement com-

The Consolidated Implement company has begun suit against Hattie H. Young to recover \$1,400 damages, resulting from the alleged violation of the terms of a lease of property from the defendant to the plaintiff.

The Webster Mining company is suing W. E. Holderman et al. to collect \$473.66 alleged to be due for royalties from ore extracted from certain mining property leased to Holderman in the Ohio mining district in Plute county.

The case of Charles J. Hodge vs. H. F. Lamson et al. to quiet the title to certain area in conflict between the Wasatch and Muddy Gulch mining claims in the West Mountain district, was dismissed by the plaintiff yesterday, a settlement having been reached. Carry C. Lawrence filed a petition yesierday asking that she be appointed administrator of the estate of her ed administrator of the estate of her deceased husband, Frank L. Lawrence.

The federal grand and petit juries
The state is valued at \$600.
In the \$8,000 damage suit of Ezekiel
Holman vs. Stephen Hays et al., a jury
upon a term which will last for the

Federal Court Notes.

In the case of the Ogden Water-works company vs. Ogden City, the de-fendant filed answer yesterday in the United States court, denying absolute ownership of the waterworks described in the plaintiff's bill or that it ever operated the system. It is averred that Receiver W. C. Weaver is in possession of the waterworks and the suit is re-ferred to as "altogether unnecessary

ROY KAIGHN IN COURT

Boy Who Shot W. S. Haynes Recommitted to Jail-Trial

Set for Dec. II.

A father and foster mother, with grief, love and anxiety written in every line of their faces; a young son, with downcast and flushed countenance, standing face to face with one of the most serious charges, and a cosmopolitan audience, straining with curiosity, was excused on account of being country surveyor. presented in Judge Diehl's court yeserday morning when Roy Kaighn appeared to answer a charge of assault with intent murder W. S. Håynes. A hush of expectancy fell over the court room as the case was called, but when it was found that nothing further than an arraignment was to take place the crowd filed out of the room. Prosecutor Loofbourow then asked that the case be set for preliminary

hearing next Monday at 10 a. m. Judge King objected to that time on the ground that he was compelled to go to Nevada to attend a case in the federal court and could not be back before next Tuesday.

"The court is desirous of having the matter disposed of as soon as possible," said Judge Diehl, "and if it is agreeable to both sides the hearing will be set for Wednesday, the 11th, at 10 a.m." The case was accordingly set for that time, and the ball of the defendant upon the charge of attempted murder was fixed at \$5,000.

Attorney Loofbourow then made a notion that the first complaint charg-ng the young man with assault with deadly weapon with intent to do bodily harm, be dismissed, and the court so ordered. In default of the required bail, the defendant was turned ver to a deputy sheriff and esc back to the county jail to be held for

Haynes is still improving, it is stated, haynes is still improving, it is stated, but it is hardly likely that he will be able to appear at the preliminary hearing. It is believed by the prosecution that he would be an unwilling witness and they propose to go ahead with the matter regardless of his attitude.

Why Suffer With Headache

Special Bargains

at Z. C. M. I. millinery department all this week; 20 per cent off.

Girls Wanted.—Experienced operators to go to Helena, Mont., to stitch overalls and shirts. Call at once, Room 407, Knutsford hotel. Benn overalls and shirts. Room 407, Knutsfor Greenhood.

COUNTY AFFAIRS.

The board of county commiss received a petition from Harriet Har-per et al. yesterday, asking that the water be not flumed over the road on what is known as the Walker and Harper hill, as the petitioners say it would be best to take the water under

The application of Stephens, Ferrill & Co. of Bingham for a liquor license

'After appropriating \$300 to the pauper contingent fund, the board ad- bly all differences that arise

PINEY WOODS.

Seph E. and A. V. Taylor yesterday to collect \$17,594.62, as the result of an alleged violation of agreement on the part of the defendants.

SHORT LINE IN GIANT COMBINE

Will Hold Large Interest in Northern Securities Company.

POTENT FACTOR IN FINANCE

CONTROL OF ROAD OF GREAT IM-PORTANCE TO HARRIMAN.

The Oregon Short Line and not the Union Pacific proper will hold the Harriman share of the stock of the new \$190,000,000 railroad combine incorperated as the Northern Securities company. The developments in the northwestern railroad situation have brought the Short Line into a much more important technical position, making it a potent factor in railroad finances in the United States.

The possession of the control of the Oregon Short Line by the Union Paific interests has rendered possible this embination, which includes joint conrol of the great Burlington system, as well as of the Northern Pacific. As published in The Herald some time ago, published in The Herald some time ago, when the financial giants were battling for supremacy in the Northern Pacific fight, the technical purchaser of the control of the \$155,000,000 capital or the control of the \$155,000,000 capital stock of that road was the Oregon Short Line. The stock went into the Short Line treasury, and has reposed there ever since, unless it has already been exchanged for stock in the Northern Securities company. Thus the Short Line, with about a fifth the mileage of the Burlington and less than a third the mileage of the Northern Pacific, is nominally a potent fac-

Line is in no sense parallel to the Bur-lington or the Northern Pacific, nor is it a competitor of either. In this way the law is evaded.

NEW BRANCHES TURNED OVER. Control of Calientes and Mackay Ex-

tensions Transferred. Resident Engineer William Ashton or the engineering department of the for the engineering department of the Oregon Short Line, has turned over to the operating department the extension of the California branch between Uvada and Calientes and the new Mackay branch. Both these extensions have been operated since they were completed thus far by the engineering department. The revenues were credited to the department and the expenses charged up against it. Hereafter both branches as far as constructed will be operated by the regular department.

The Mackay branch, officially known as the Salmon River railroad, is \$5.5 miles in length, running from Blackfoot to Mackay. These are at present the only two stations on the line, but next spring a station will be built at Arco, which is approximately half way between the terminals.

The Short Line will start in about two weeks to build a big warehouse at Mackay, as this is the shipping point now for a big region. A good station is practically completed, and the railroad will help to build up a prosperous town there.

For the present a train will be runeach way three times a week, leaving

fown there.

For the present a train will be run each way three times a week, leaving each way three times a week, leaving overtake her. Just as overtake her. Just as passed Miss Cooper he made a grab for her purse, but the plucky young for her purse, but the plucky young woman let out a scream and commenced striking the highwayman with her lunch bucket. Tuesdays. Thursdays and Saturdays.
In the spring, particularly if the Thunder mountain traffic opens up as expected, the service will probably be improved. The Salmon River road will be under Superintendent Olmstead of the Mohtana division.

The extension into Nevada is under

The extension into Nevada is under the jurisdiction of Superintendent Young of the Utah division. The piece of new road is forty-one miles long.

MORE MEN FOR SURVEYS.

Valley Wash.

Valley Wash, so as to hurry the work.

The first double-barreled party is working about fifteen miles from Cali-The first double-barreled party is working about fifteen miles from Calientes, and the second has started in near Kiernan's, a little less than thirty miles from Calientes.

The two parties will continue work—

Ernest Luce and Keith Williams, two

The two parties will continue working alternate sections of the survey until the entire 115 miles have been com-

showed no mercy on each other when the combat was flerce, now that the survey is being worked on a compromise basis they are adjusting amicably all differences that arise

Galveston, Tex., Dec. 2.—George Gould and party arrived on their special train and spent last night in Galveston. To the train was attached the car of Leroy Trice, superintendent of the International & Great Northern, The expectation is that the train will leave at 6:40 this morning for Palestine and the north. Mr. Gould is making an inspection of all the lines controlled by him.

Railroad Notes.



Makes them light, sweet, tender, delicious and free from dyspeptic qualities.

directorate of the Great Northern railway. Colonel Clough resigned to manway. Colonel Clough resigned to manage the Northern Securities company.

Traveling Passenger Agent W. J. Ridd of the Rio Grande has sent his famous high-bred black lady collie to Pennsylvania to be exhibited. The collie is one of the finest in America.

ern Pacific, is nominally a potent factor in the control of both. The reason for this is that the Short GIRL FIGHTS ROBBER.

Young Woman Beat Highwayman Off With Her Tin Lunch Bucket.

Miss Carrie Cooper's bravery saved Oregon Short Line, has turned over to her from being robbed by a bold high-

road will help to build up a plose town there.

For the present a train will be run each way three times a week, leaving Blackfoot Mondays, Wednesdays and passed Miss Cooper he made a grab passed Miss Cooper he made a grab o'clock in the ward meeting nouse.

POLICE COURT CASES.

In police court yesterday W. O. Rob-Additional Parties Put on in Meadow for stealing a goatskin rug from a Victoria alley resort, appeared and pleadfor stealing a goatskin rug from a Victoria alley resort, appeared and pleaded guilty to a charge of petit larceny. Eureka, Dec. 2.—"Slim" Ros Rose White of Mt. Pleasan rested here last evening for the property of the prop The San Pedro and the Oregon Short
Line have each put a new party of enmother and family to support, and on gineers in the field in the Meadow account of that fact he was allowed

young lads who were arrested for shooting a gun near the Country club, pleaded guilty and were fined \$1 each

pleted. The progress made by one party working alone has not been as swift as the chiefs hoped, but with two parties working it is expected to complete the work in perhaps six weeks.

Resident Engineer William Ashton of the Short Line and Assistant Chief Engineer H. M. McCartney of the San Pedro are old friends, and while they showed no mercy on each other when jail, and he was released on his own

ROAD FOR THUNDER MOUNTAIN

Wagons May Soon Go, by Salmon

City Route.

Although winter is about to set in, the Oregon Short Line is continuing its preparations to handle a large cold gets a start of this standard rem.

Why, Prof. Sterling, the Palmist, at 331 South Main street. He does not guess: he tells you plain facts about your destiny. He looks into your future, and when you have your hands read by him you will profit by it. The charges are within the reach of all—50 cents and \$1.

Special Sale D. R. Gray, general agent of the Hariman lines, has gone to Los Angeles.
Frank Weyer has been elected to the

Special Sale
of all millinery goods at Z. C. M. I. Hewlett Bros. Co., Salt Lake City

Twenty per cent off.

M'GRATH HELD.

Eureka Man Must Answer Charge of Murder.

(Special to The Herald.) Eureka, Dec. 2.—James W. McGrath, who shot his wife last Wednesday evening, was given a preliminary hearing this afternoon before the city justice, and held without bail for murder in the first

held without ball for murder in the first degree.

The prosecution was represented by District Attorney Greenwood and County Attorney Bryan, assisted by Attorney Hyan, assisted by Attorney Pike was counsel for the defendant. The testimony of Drs. Monahan and Hensel. Sherwood and Messrs. Plummer and Schmidt was taken for the prosecution. The defense offered no testimony, but Attorney Pike contested every point and at the close urged that the commission of a less crime than murder in the first degree had been shown and endeavored to have his client admitted to ball for trial on a minor offense.

MeGrath appeared to be intensely interested in the proceedings. The examination of the witnesses was commenced at 1 o'clock in the afternoon and continued till 4, when a recess was taken till 7. The evening session of court occupied a couple of hours. None of the testimony varied materially from what has been published in The Herald.

LEHI COMMERCIAL COMPANY ORGANIZED FOR BUSINESS.

Provo, Dec. 2.—Articles of incorporation of the Lehi Mercantile company were filed today, with the following persons as incorporators: J. S. Snow. American Fork, president, 190 shares; Louis Garft, Lehi, 10 shares; W. S. Cox, Lehi, 56 shares, vice president; J. D. Cox, Pine Valley, secretary and treasurer, 87 shares; H. O. Gardner, Pine Valley, 87 shares; R. B. Gardner, Pine Valley, 80 shares. The company is incorporated for fifty years, with a capital stock of \$20,000, divided into 2,000 shares of the par value of \$10 each. The principal place of business will be at Lehi, Utah.

The following persons have been grantness will be at Lehi, Utah.

The following persons have been granted license to marry: James Chappall, aged 22, and Alice Noyes, aged 25, both of Provo; R. R. Thorne, 23, and Mary F. Harper, 24, both of Pleasant Grove; T. G. Keetch, 22, and Martha Thorne, 29, both of Lindon; Lawrence Chatwin, 23, of Santaquin, and Mary J. Davis, 27, of Benjamin.

COALVILLE HAPPENINGS.

Coalville, Dec. 2.-President Taylor went to Salt Lake today. to Salt Lake today.

The stake presidency gave a social last Saturday evening, at which the hishops and stake officers were present. Upward of 100 guests filled the residence of President Taylor, where the reception and banquet were held.

A stake conference of the primary associations was held in the tabernacle yesterday. The speaking was done by Mrs. Felt and other ladies from Salt Lake.

The preliminary examination of the man who burglarized a house at Wanship has not yet been held. The prisoner is showing unmistakable symptoms of insanity. To County Attorney Callis he talked in a rambling, incoherent manner about his thefts and his past life. Dr. French examined the prisoner and pronounced him mentally unbalanced.

Kaysville Pioneer's Death.

Kaysville Pioneer's Death.

Kaysville, Dec. 2.—Mary Ann Hyde, an old and honored pioneer, died last evening. Mrs. Hyde was horn Dec. 31, 1820, at Bolivar, N. Y. She married Rosel Hyde Dec. 12, 1829, came to Utah with her husband in September, 1849. They lived in Salt Lake City four years, then moved to Kaysville, where they have lived ever since. Two years ago the Hyde family held a family reunion, celebrating the sixtleth anniversary of Mr. and Mrs. Hyde's marriage. Mrs. Hyde joined the Mormon church in 1834, and lived for some time in the family of the Prophet Joseph Smith, during some of his greatest trials and imprisonments. Funeral

Beckstead Family Reunion. Beckstead Family Reunion.

Gale, Dec. 2.—On Friday the Beckstead family annual reunion was held at South Jordan schoolhouse. About 300 Becksteads and relatives were present, and under the management of Henry W. Beckstead and the committee on arrangements an excellent programme had been prepared for their entertainment, which offered plenty of delicacies and dancing all day and night.

Mt. Pleasant People Arrested.

Countermanded the Order.

New York, Dec. 2.—According to the London correspondent of the Journal and Advertiser, the order for the co net for Mrs. Bradley Martin, which she intended to wear at the coronation of King Edward, has been countermanded The coronet was modeled after that worn by Empress Josephine.

A Few Pointers. A Few Pointers.

The recent statistics of the number of deaths show that the large majority die with consumption. This disease may commence with an apparently harmless cough which can be cured instantly by Kemp's Balsam for the Throat and Lungs, which is guaranteed to cure and relieve all cases, Price, 25c and 59c. Trial size free. For sale by Godbe-Pitts Drug com-

HOLIDAY PRESENTS. Special Sale This Month.

What would be a more appropriate holiday present than a beautiful Oriental Rug, or some Oriental curiosities? Call and see them at 25 East First South. G. T. Jasous & Co.

Ready-to-wear Department

Screetine Wrappers.

Flannelette Gowns, Dressing Sacks, Flannel Waists,

300 Silk Waists, \$5.00 each—our \$5.75 and \$6.75 qualities. Fine Furs, 58-inch Coats and Autonobiles, in great variety.

StateFair 1901



Gold medal (highest prize) awarded Three Crown Baking Powder. Gold medal Three Crown Spices; Gold Medal Three Crown Flavoring Extracts. Merit wil! tell. Buy the best and you will never be deceived.

Sterling Silver loilet

Articles

Most anything you want in this ne you'll find here. ne you'll find here, A fine assortment just in, Brushes, mirrors, combs, scissors brusnes, intrors, combs, scissors, pomade jars, mucilage jars, stamp boxes, powder jars, cigar jars, and the silver mountings are of the good heavy kind.

The kind that will not break and bend if you look at it. Drop in and look the lot over. Won't cost you anything.

F. C. Schramm,

Prescription Druggist. Where the cars stop. McCornick Blk

Lyon & Company

We not only have a stock of fine

Up-to-Date Jewelry. But we have the only complete

manufacturing plant in the intermountain region. Your old gold DATE Jewelry. Also we can repair your watches, clocks, etc., which is one of our specialties.



Xmas Presents.



curved and narrow, to fit round the hat brim, \$1.00 to \$1.50. Real ebony clothes brushes, \$2.09; longer, finer bristles, \$2.50. Real seal skin toilet cases containing hair brush, nail and tooth brush, all solid ebony backs, tor-toise shell comb, plate glass mirror, wonderful value \$2.50. Mail orders quickly fill-ed and satisfaction guar-anteed.

Utah and Wyoming

RICHARDSON & ADAMS. 172 Main Street, Salt Lake City.

Hot Stuff.

That is what you will need the coming winter. We are prepared. Cast your eye below at what w mix for your delectation:

Chocolate Malted Milk. Coffee Chicken Bouillon. Beef Tea Clam Bouillon. Lemonade Tomato Bouillon. Tea Beef Bouillon. Oyster Cocktails. Clam Cocktails. All kinds of Egg Drinks.

A.C. Smith

The Drug Man, Telephone No. 468. Opp. Herald.

Some Time

When you're not too busy, just sit and look out of the window and notice How's this for a testimonial? the Bamberger wagons. You'll be are. Then, while you're noticing, back of a Burlington menu card. us famous as the "good coal" dealers.

> BAMBERGER. 161 Meighn.



Brown, Terry & Woodruff Co. Sole Agents Men's Goods. 166 MAIN.

150 Offices. The Oldest and Largest. R. G. DUN & CO. GEORGE RUST, General Manager,

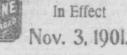
Established 1841.



Current Time Table

In Effect OCT. 27. LEAVE SALT LAKE CITY.

Time Card.



ARRIVE. From Ogden, all points east, Butte, Portland and San Franrom Ogden and intermediate 9:25 A.M.

From Ogden and intermediate points.

Sents

We offer you a few suggestions gleaned from a study for years of what a gentleman likes for Christmas presents. This list combines comfort, usefulness and elegance. Real ebony hat brushes; curved and narrow, to fit round the hat brim, and San Francisco.

We offer you a few suggestions gleaned from a study for years of what a gentleman likes for Christmas presents. This list combines comfort, usefulness and elegance. Real ebony hat brushes; curved and narrow, to fit round the hat brim, seems to compare the point of the property of the proper

*Trains between Milford and Frisco do not run Sundays. **Dally except Eunday. Telephone No. 250. City Ticket Office, 201 Main Street.

THREE TRAINS DAILY



FOR THE EAST.

DO NOT FAIL to be fully informed of the Quick Time and Fine Trair Service offered by the Union Pacific to all Principal Eastern Points.

Palace Sleeping Cars,
Ordinary Sleeping Cars,
Ordinary Sleeping Cars,
Dining Cars, Meals a la Carte,
Free Reclining Chair Cars,
Buffet Smoking and Library Cars,
with Barber Shop and
Pleasant Reading Rooms.
For time tables, folders, illustrated books, pamphlets descriptive of the territory traversed, call at Ticket Office, 201
Main Street, Sait Lake City.



The Word Burlington is Like Sterling on Silver.

Some one-name and address unsurprised how many of them there known-wrote these words on the notice the kind of coal they're loaded | More than fifty years have elapsed with. It's the kind that has made since the Burlington ran its first train. During that time it has been the recipient of thousands of testimonials. Not one of them has been more to the point than the eight words produced on this page.

Through sleepers for Omaha and Chicago via the Burlington leave the R. G. W. depot daily at 3:15 p. m. Tourist cars Wednesdays and Fridays. Drop in and let us quote you rates and give you full information about our service; or, if you prefer, see your local ticket agent.

Ticket Office,

No. 79 West Second South St R. F. NESLEN,

Gen'l Ag't, Salt Lake City.

THE PRICE

If you are a lover of high-class and pure literature, such as will make a person better for having read, try the Juvenile Instructor. It the Juvenile Instructor. It will give you and each member of your family a moral atmosphere to live in. Send for sample copy, 403 Templeton, Salt Lake City.